



Montana Fish, Wildlife & Parks

INTEROFFICE MEMORANDUM

TO: Paul Sihler, Chief of Operations

FROM: Darlene Edge, Lands

SUBJECT: West Shore State Parks

DATE: June 28, 2016

Per your request I have researched the Blackfoot Clearwater files and the West Shore files to determine the history, funding involved, and other relevant information on the exchange that resulted in the 73.55 acre northern portion of West Shore State Park being encumbered with PR funds.

In and around the year 1966 the Department identified some lands that had been acquired for the Blackfoot Clearwater Game Range as surplus (letter attached). At that time the Department decided rather than lease these surplus lands out, it would make more sense to dispose or trade them.

On April 11, 1966 the Department consummated an exchange wherein 285.57 acres of the Blackfoot Clearwater Game Range, located immediately north of Clearwater Junction along Highway 83, and \$14,000 was exchanged for the 73.55 acre parcel at West Shore State Park. There were 3 parties involved in this exchange; Harold and Mary Lake, Tom and Gertrude Greenfield, and Guy and Vivien Clatterbuck, co-owners of the West Shore parcel. The result of the grant from FWP was that the Greenfields ended up with a $\frac{1}{4}$ undivided interest, the Clatterbucks received a $\frac{1}{2}$ undivided interest, and the Lakes a $\frac{1}{4}$ undivided interest of the 285 acres of the Blackfoot Clearwater Game Range.

The USFWS agreed to this exchange; see attached letter.

ENVIRONMENTAL QUALITY
COUNCIL. 2015-16

July 20, 2016

Exhibit 2

Ref:DO



UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
BUREAU OF SPORT FISHERIES AND WILDLIFE

ADDRESS ONLY THE
REGIONAL DIRECTOR

730 N. E. PACIFIC STREET
P. O. BOX 3737
PORTLAND, OREGON 97208

March 30, 1966

FA Montana
W-30-L
Blackfoot-Clearwater

Mr. Frank H. Dunkle, Director
Montana Fish and Game Department
Helena, Montana

Attention: Mr. Wynn G. Freeman

Dear Mr. Dunkle:

Enclosed is approved Amendment No. 7 to the Preliminary Project Statement of W-30-L, to remove 285.57 acres by exchange for non-Federal Aid lands.

These lands were acquired in the purchase of the Boyd property for \$14.63 an acre with full Federal participation, 75 percent. The credit to the Pittman-Robertson program is for 285.57 acres @ \$14.63 or \$4,177.89. For this credit the overhead costs of acquiring the Boyd lands are not included.

cc: Cooper

Sincerely yours,

John R. Langenbach
John R. Langenbach
Regional Supervisor
Division of Federal Aid

Enclosure

RECEIVED
APR 1 1966
Fish & Game Div.

FEDERAL AID IN FISH AND WILDLIFE RESTORATION

PRELIMINARY PROJECT STATEMENT

AMENDMENT NUMBER 7

Secretary of the Interior
Washington, D. C.

Sir:

It is requested that the above cited project entitled Blackfoot-Clearwater Game Range Acquisition be modified to remove 285.57 acres by exchange for non-Federal aid lands. The lands to be disposed of are the following-described property situate in the County of Missoula, State of Montana, to-wit:

All that portion of Section Thirty-three (33), Township Fifteen (15) North of Range Fourteen (14) West of the Montana Principal Meridian in said County of Missoula lying East of the highway, consisting of 154.6 acres, more or less; and

All that portion of the Southwest Quarter ($SW\frac{1}{4}$) of Section Thirty-four (34), Township Fifteen (15) North of Range Fourteen (14) West of the Montana Principal Meridian in said County of Missoula lying North of the highway and South of the Anaconda Company logging road, consisting of 30.8 acres, more or less; and

All that portion of the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{4}NE\frac{1}{4}$) of Section Four (4), Township Fourteen (14) North of Range Fourteen (14) West of the Montana Principal Meridian in said County of Missoula lying North and East of the highway, consisting of 15.38 acres, more or less; and

All that portion of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$) of Section Three (3), Township Fourteen (14) North of Range Fourteen (14) West of the Montana Principal Meridian in said County of Missoula lying North of the highway, consisting of 1.79 acres, more or less; and

All that portion of the North Half ($N\frac{1}{2}$) of Section Eight (8), Township Fourteen (14) North of Range Fourteen (14) West of the Montana Principal Meridian in said County of Missoula lying between the highway and the Milwaukee Railway; reserving unto the grantors a public right-of-way sixty (60) feet in width along the North boundary of the tract, consisting of 83 acres, more or less.

The aggregate acreage of the above-described property is 285.57 acres, more or less.

APPROVED

MAR 30 1966

Secretary of the Interior
Page 2
March 24, 1966

These are open-meadow lands lying along highways, and they receive little or no use by game animals. These lands have been leased to neighboring ranchers for grazing purposes for several years.

The Pittman-Robertson program will be credited in the amount of P.R. funds originally expended in the acquisition of this property. The scope of the project is not changed.

Respectfully submitted:

MONTANA FISH AND GAME DEPARTMENT

BY: Frank H. Dumble
DIRECTOR

APPROVED: DATE March 30, 1966
SECRETARY OF THE INTERIOR

BY: 700 Robert R. Leuebach
Acting Assistant Regional Director
Bureau of Sport Fisheries and Wildlife



Montana Fish, Wildlife & Parks

INTEROFFICE MEMORANDUM

TO: Paul Sihler, Chief of Operations

FROM: Darlene Edge, Lands

SUBJECT: West Shore State Parks/South Tract

DATE: July 13, 2016

Per your request I have researched the West Shore State Park southern tract file to determine the history, funding involved, and other relevant issues.

This 67.3 acre tract was gifted to the State of Montana, State Highway Commission and the gift was accepted by the State Highway Commission on March 13, 1956. The gift was approved and accepted by the State Land Board March 14, 1956. The gift was from Samuel E. Johns and the gift was made with restrictions. Those restrictions are that it must remain as a State Park or it reverts to the Grantors. Revenue generated from this Park is to be used solely for O&M of the Park. I have attached the Deed with highlighted areas identifying the restrictions more specifically. If you need anything additional please let me know.

PARKS DIVISION

NUMBER

529

NAME: West Shore State Park

COUNTY: Lake

DESCRIPTION: Twp. 25N., Rge. 20W., Sec. 4, Part SW $\frac{1}{4}$ SW $\frac{1}{4}$ & Lot 4,
(metes & bounds) ACRES: 67.30

TITLE: Grant Deed to State from Mary P. Johns, S. Douglas Johns and
Helen Jane Johns, dated July 1, 1955.

In memory of Samuel E. Johns.

Reversion to heirs if not used for park purposes.

RECORDED BY COUNTY CLERK AND RECORDER: February 18, 1956 in Volume 43
of Records, page 475.

FILE: State Land Office has the original Deed.

ABSTRACT: None.

ACTION BY STATE LAND BOARD:

Date

3-14-56. Vol. XI of Minutes, p. 34. Deed accepted by Board.

4-11-56. Vol. XI of Minutes, p. 51. Park named.

Land Board Minutes, Volume XI, p. 34

March 14, 1956

WEST SHORE STATE PARK

The following letter received March 13, 1956:

Mr. Lon Bretzke, Commissioner
State Land Board
Helena, Montana

Dear Mr. Bretzke:

Attached is a Grant Deed to 67.3 acres of ground on the West Shore of Flathead Lake. This land is being presented to the Park Division for State park purposes by Mr. Douglas Johns of Kalispell, Montana.

At the regular meeting of the State Highway Commission on February 14, 1956 this deed was presented for acceptance. In their action the Commission recommended that the Land Board accept the deed for the State of Montana, and that the park be named "West Shore State Park". This name is acceptable to the donor of the land.

Yours very truly
STATE PARKS DIVISION
/s/ Ashley C. Roberts, Director

Land referred to above as described in Grant Deed:

A tract of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lot 4 in Section 4, Township 25, North of Range 20 West, more particularly described as follows:

Commencing at a point on the South line of said Section 4, which said point bears East along said South Section line a distance of 284.1 feet from the Southwest corner of said Section 4; thence East a distance of 1735.5 feet more or less to a meander corner to fractional Sections 4 and 9 on the West Shore of Flathead Lake; thence Northeasterly along the West shore of Flathead Lake to an intersection with the North line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lot 4 in said Section 4; thence Westerly to an intersection with the East right-of-way line of U. S. Highway No. 93, said intersection being 100.7 feet Easterly from the Northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4; thence South 10° 25' West along said East right-of-way line, a distance of 556.9 feet to the West line of said Section 4; thence South along said West line 303.7 feet; thence 32° 33' East a distance of 528.0 feet to the point of beginning, containing in all 67.3 acres more or less.

Mr. Olsen moved we accept the gift. Miss Condon seconded and motion carried unanimously.

Mr. Olsen further moved we take the matter of naming the park under advisement. Mr. Arnold seconded the motion and it carried unanimously. (Another state park being located on the West Shore, it was thought there might be some confusion. Suggested that if this was the old Linderman property, that the Park be called Linderman State Park)

REPORT OF FIELD DEPARTMENT ON LEASE NO. 40896 DR. MYRON VESETH

The following is report of deputy field agent George Withrow, re Lease 40896
Dr. Myron Veseth, Land involved Sec. 16-25N-28E

April 11, 1956

STATE LAND BOARD
Encl. Paper No. 900

REGULAR MEETING OF THE STATE BOARD OF LAND COMMISSIONERS
WEDNESDAY, APRIL 11, 1956, AT 2:30 O'CLOCK P.M.
In the Governor's reception room.

Present: Governor J. Hugo Aronson; Superintendent of Public Instruction, Miss Mary M. Condon; Secretary of State, S. C. Arnold; Attorney General, Arnold H. Olsen; Commissioner of State Lands, Lou E. Bretzke, ex-officio secretary of the Board.

Minutes of meetings of March 14th, 21st and 27th were unanimously approved as submitted on motion by Miss Condon, seconded by Mr. Arnold.

BUSINESS CONSIDERED AS FOLLOWS:

MONTANA DAKOTA UTILITIES re. Payment of 100% of gas taken from Sec. 16-6N-60E
(Cont. from March 14, 1956, P. 32, Vol. XII)

Attorney General reviewed the case, and stated he would like to calculate amount involved in dollars and cents.

Miss Condon moved we continue matter under advisement until such time as we can get a specific recommendation. Mr. Arnold seconded and motion carried unanimously.

NAMING PARK ON FLATHEAD LAKE
(Cont. from March 14, 1956, P. 34, Vol. XII)

Miss Condon moved we "officially name the park on the west shore of Flathead Lake the West Shore State Park." Mr. Arnold seconded motion and it carried unanimously.

GRANT DEED
00 00 00

West shore state Park
Dist # 1
File # 527

THIS INDENTURE, Made this 1st day of July, 1955, by
and between MARY P. JOHNS and S. DOUGLAS JOHNS and HELEN JANE
JOHNS, his wife, all of Kalispell, Montana, as grantors to the
STATE OF MONTANA, grantee, WITNESSETH:

That the undersigned, MARY P. JOHNS and S. DOUGLAS JOHNS and
HELEN JANE JOHNS, His wife, all of Kalispell, Montana, grantors
herein, in consideration of the sum of One Dollar now paid and of
the covenants and conditions hereinafter set forth, grant to the
STATE OF MONTANA, all of the real property situate in Lake County,
Montana, more particularly described as follows, to-wit:

A tract of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lot 4 in Section 4
Township 25 North of Range 20 West, more particularly described
as follows:

Commencing at a point on the South line of said Section 4, which
said point bears East along said South Section line a distance of
284.1 feet from the Southwest corner of said Section 4; thence East
a distance of 1735.5 feet more or less to a meander corner to
fractional Sections 4 and 9 on the West Shore of Flathead Lake; thence
Northeasterly along the West shore of Flathead Lake to an intersection
with the North line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lot 4 in said Section 4;
thence Westerly to an intersection with the East right-of-way line of
U. S. Highway No. 93, said intersection being 100.7 feet Easterly from
the Northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4; thence South 10°25' West
along said East right-of-way line a distance of 556.9 feet to the West
line of said Section 4; thence South along said West line 303.7 feet;
thence S32°33' East a distance of 528.0 feet to the point of beginning,
containing in all 67.30 acres more or less.

This conveyance is made by said grantors as a gift to the
State of Montana and is made in memory of SAMUEL E. JOHNS, a pioneer
of this region who acquired the above described property many years ago
and remained its owner until his death. This grant is made with and
subject to the following limitations, covenants and restrictions:

Neither said described property nor any part thereof, nor any
right, or interest therein shall ever be conveyed, leased or assigned
to any individual, firm, association, corporation, or any other entity
for any private use or purpose, nor shall said property or any part
thereof or any right or interest therein ever be used or permitted to

be used for any private business or for the purpose of gain to any private or individual person or entity; nor shall said grantee or any agency operating said property or any part thereof, in connection with such operation ever enter or engage in the operation of any business or undertaking which shall be in competition with any private business or enterprise except as the same may be incidental to the operation and maintenance of park facilities for the accomodation and convenience of the public in its use of such property.

It is the expressed intent hereof that all of said property shall be designated and established as a STATE PARK and shall forever be held and owned by the STATE OF MONTANA as such, and shall be managed and operated by such State administrative agency or department as shall from time to time be duly and legally constituted or designated for such purpose, all for the benefit and use of the public generally as a public camp ground, play ground, recreation area and allied uses and purposes. Should any income or revenue be derived or produced from such operation of said property or any thereof, it shall be used and devoted solely to said property for the purposes of maintenance and repair, protection and development thereof.

In the event of the breach or violation of any of the covenants, restrictions or limitations hereinabove specified, the acceptance of all of which by said grantee is hereby made a condition precedent to the making of this conveyance and as a part of the consideration herefor, all right, title, claim and interest whatsoever in and to said described property and all thereof shall immediately and forthwith revert to the said grantors herein, their heirs or assigns.

TO HAVE AND TO HOLD all and singular the above mentioned described premises with the appurtenances unto the said grantee forever

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals this 2nd day of February, 1956.

STATE OF MONTANA §
COUNTY OF FLATHEAD.) SS.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

STATE OF MONTANA,)
 (SS.
COUNT OF FLATHEAD.)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

(Signed) E. B. Foot
Notary Public for the State of Montana,
residing at Kalispell, Montana.
My commission expires June, 1, 1956.